



CITY COUNCIL
Regular Meeting – February 8, 2016 6:00 p.m.
Council Chambers

*1368 Research Park Dr
Beavercreek, Ohio*

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Council Member Jarvis
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. January 16, 2016 Council Advance
 - B. January 25, 2016 Regular Meeting
 - C. January 25, 2016 Work Session
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-01 Z-16-1 TCN Behavioral Rezoning, I-1 to RP-1 (Second Reading)
 - B. Resolution 16-04 Park Maintenance Agreement
 - C. Resolution 16-05 Authorize City Manager to Approve Tax Exempt Municipal Lease
- VII. LIQUOR PERMITS
 - A. Chipotle Mexican Grill of Colorado LLC DBA Chipotle Mexican Grill 2720 (New)
- VIII. CITY MANAGER'S REPORT
- IX. MAYOR'S REPORT
- X. COUNCIL TIME
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
COUNCIL ADVANCE, January 16, 2016 8:30 a.m.

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

TARDY: Vice Mayor Vann

Council Member Upton MOVED to excuse Vice Mayor Vann, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

Council Member Wallace MOVED to approve the agenda, seconded by Council Member Upton. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Steve McHugh, Legal Counsel

Vice Mayor Vann arrived at 8:34 a.m.

DISCUSSION

Mr. Cornell reviewed the Fallon Survey results. There was discussion regarding the levy system versus an income tax. There was discussion of a specific purpose income tax along with the challenges of the understanding of how an income tax works. There was a conversation of single waste hauler and what the cost savings may be. Council would like to see the county results in terms of savings.

Mr. Kucera reviewed the executive summary he handed out. The summary included bullet points for the financial challenges in the coming years, operating fund overview, general fund, golf course fund and action plan for the operating funds. He explained if the street levy did not pass there will be extreme cuts in public service including personnel, street paving and snow removal.

There was discussion regarding upcoming expiring levys and whether or not to do an income tax.

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2016 Council Policies

Council would like to continue the parcel by parcel approach of annexation of unincorporated areas of adjacent townships as requests come from the citizens. There was discussion to increase the fund balances from 15% to 20%. Council would like to explore avenues to allow for the increase. All other policies would continue as before.

2016 Council Procedures

There was discussion of meeting procedures, handling citizen email, public appearances and proclamations. Council discussed the process for requesting information from staff versus what the charter states.

Evaluations of the City Manager and Clerk of Council would be handled the same way as last year.

2016 Staff Priorities

There was discussion of meeting with the township as a task force. Council will continue to discuss this idea. There was discussion of both the city and the township host a joint meeting each year. The council will continue to give committee updates at work sessions. There will be a future discussion of the direct election of mayor. There was discussion of revoking the nuisance/litter ordinance. Legal counsel will research the subject. Council talked of the process for the city manager recruitment. There was discussion of the development of a long range plan. Council asked to receive copies of the 2002 plan to review before spending money on another one. Council discussed the interest in changing the current meeting telecast.

2016 Staff Priorities

The Senior Center renovation process will be moving forward. Council will see information regarding this in the near future. There will be less construction activity in 2016.

ADJOURNMENT

Council Member Upton MOVED to adjourn the meeting at 1:40 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton

BEAVERCREEK CITY COUNCIL

ADVANCE

January 16, 2016

Clerk of Council
Cmin011616Advance

BEAVERCREEK CITY COUNCIL
REGULAR MEETING January 25, 2016 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Dennis Evers, Chief of Police; Kim Farrell, Recreation Supervisor; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman; City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Vice Mayor Vann led the pledge and a prayer.

APPROVAL OF AGENDA

Council Member Whilding MOVED to approve the agenda, seconded by Council Member Upton. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the minutes of the January 11, 2016 Regular Meeting, seconded by Council Member Wallace Motion PASSED by majority voice vote.

PUBLIC HEARING – Z-16-1 TCN Behavioral Rezoning, I-1 to RP-1

Clerk Lampton read an application filed by TCN Behavioral, 452 West Market Street, Xenia, OH 45385. The application requests the rezoning of 3.223 acres of land from I-1 Light Industrial District to RP-1 Research Park District. The property is located at 1400 Grange Hall Road further described as Book 2, Page 13, Parcel 70 on the Greene County Property Tax Atlas

Council Member Litteral and Vice Mayor Vann recused themselves.

Applicant Presentation

Tom Otto, 2252 Horseshoe Ct., Beavercreek, OH

Mr. Otto explained the services provided at this locations would be mental health, prevention, substance abuse and abuse treatment, case management and

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psychiatric services. He anticipated approximately 35 employees working at this location. He projected they would see 70-90 consumers per day. He said the consumers arrive at the location via their own transportation, Greene CATS or staff. The hours of operation would be Monday through Friday from 8:00 a.m. to 8:00 p.m. with some Saturday hours. He said they have plenty of parking with 91 spaces, it is well lit and they will have a grounds keeper.

Staff Presentation

Mr. McGrath summarized the staff report dated January 19, 2016 which states the applicant is requesting rezoning 3.223 acres from I-1, Light Industrial to RP-1 Research Park. He explained this is a site with an existing building, parking, lighting and landscaping. He said per the land use plan this area calls for more of the high text development but this rezoning would pave the way for the applicant and any future users that are located within the Miami Valley Research Park. He reviewed the location of the building and explained it is a straight rezoning therefore all the conditions and uses are outlined in the zoning code.

Public Input

There being no public input, the public hearing was closed.

Council Input

Council Member Wallace asked if this would fall into an ASRA or PUD. Mr. McGrath replied there was nothing physically changing to the outside of the building and anything they would do would be to the interior.

Council Member Jarvis questioned what qualifies this company to be RP-1. Mr. McGrath said this would fall under professional services.

Ordinance 16-01

Council Member Wallace MOVED to approve Ordinance 16-01 and move to the second and third reading, seconded by Council Member Whilding Motion PASSED by a roll call vote of 5-0.

DECISION ITEMS

Council Appointments to Local Agencies

Clerk Lampton read the list of the Council appointments.

Council Member Litteral MOVED to approve accept the appointments as presented, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

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Mr. Cornell said Friday night would be the Beaver Creek Chamber Awards. He said the recipient of the City Employee of the Year was going to the Citizen On Preventive Patrol (COPP) volunteers. He said because of this programs longevity of 28 years it deserved this recognition for the compliments and contribution to our police department. He said in 2015 the COPPs contributed over 2,900 hours and patrolled over 18,000 lineal miles of streets in the City of Beaver Creek. He said we have had five snow events which were all in January utilizing 1,100 tons of salt and 1,800 gallons of brine with a total cost over a little \$101,000. He said last year at this same time the cost was \$308,000. Mr. Cornell acknowledged the Beaver Creek Optimists and Beaver Creek Kiwanis who will be hearing the State of the City Message. He said the March 15th primary has a pending renewal street levy of 2.6 mill with a .8 increase. He said at the next few meetings there will be more information and updates regarding the levy.

MAYOR'S REPORT

Mayor Stone said he officiated his first wedding last week.

COUNCIL TIME

Council Member Whilding congratulated the COPP for their award.

Council Member Litteral said she was pleased for their recognition.

Council Member Upton asked Mr. Cornell how this winter compares to an average year. Mr. Cornell said on a five year average they average fourteen events with a seasonal cost of \$418,000. Council Member Upton congratulated the Beaver Creek Young Professionals who had their third annual kickoff event. He said there is a survey on the website and asked people to visit the website to take it.

Council Member Wallace said that Tuesday, January 26th was the Dayton Development Coalition's Annual Report to the Community at the Schuster Center starting at 3:00 p.m. The Beaver Creek Heritage Trail is having an event Tuesday, January 26th called "A Trip Down the Beaver Creek Heritage Trail" at Fellowship Hall at Peace Lutheran Church starting at 7:00 p.m. She said at 5:30 on January 26th, the 100 Women of Greene County will be meeting at Greene Memorial Hospital Auditorium. She said they have given over \$80,000 since inception. She congratulated the Beaver Creek Youth Council who celebrated their 10th anniversary. She gave a shout out to Felicia Hall and her husband who have participated in the program for eight years.

Vice Mayor Vann said the Beaver Creek Youth Council is an asset to the community. She said it is great to allow high school students to learn leadership

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skills and the fundraising events they have held raise money for other charities. She said thank you to Felicia Hall for her leadership and to all the youth who get involved. She said the Senior Center had a chili cook-off and the mayor was the winner. She thought it was terrific the COPPs were being recognized for the volunteer efforts. The Beavercreek Women's League will be holding a forum at 10:30 a.m. on February 3rd at Peace Lutheran Church to discuss the heroin epidemic. At 9:00 a.m. there will be a Meet the Candidates at 9:00 a.m. She said both of these events will be taped on played on Channel 5 and available on demand on the website.

CITIZEN COMMENTS

There were not citizen comments.

ADJOURNMENT

Council Member Whilding MOVED to adjourn the meeting at 6:26 p.m., seconded by Council Member Litteral Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin012516

BEAVERCREEK CITY COUNCIL

WORK SESSION, January 25, 2016, following the Regular Meeting

Vice Mayor Wallace called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Dennis Evers, Chief of Police; Kim Farrell; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Steve McHugh, Legal Counsel; Jeff Moorman; City Engineer; Mike Thonnerieux, Public Service Administrative Director

APPROVAL OF AGENDA

Council Member Litteral MOVED to approve the agenda, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

DISCUSSION ITEMS

Lofino Plaza Renovation Financing

Ms. Farrell reviewed the timeline for the Lofino Center expansion project. There was discussion regarding the flexibility of the timeline. Council will be reviewing the concepts for the expansion at a later work session. There was discussion regarding the bond anticipation note (BAN). The legislation for the BAN will be presented at an upcoming Council meeting.

Park Maintenance Agreement

Ms. Farrell explained the park maintenance agreement would consolidate the services for the Township and Park District. The Township would pay the fees for the city to take over the maintenance of all Township and Township Park District Parks. A Resolution would be brought forth at the next Council meeting for approval. This additional work would require the hiring of two additional seasonal employees.

Council Committee/Event Updates

Council discussed committee events they had attended and anything thing they scheduled in the near future.

BEAVERCREEK CITY COUNCIL

WORK SESSION

January 25, 2016

ADJOURNMENT

Council Member Upton MOVED to adjourn the meeting at 6:56 p.m., seconded by Council Member Jarvis Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin012516Worksession

Agenda Item VI. A.
Second Reading

ORDINANCE NO. 16-01

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER WALLACE ON THE 25TH DAY OF
JANUARY, 2016.

AN ORDINANCE AMENDING THE ZONING MAP, BY REZONING
APPROXIMATELY 3.223 ACRES OF LAND LOCATED AT 1400
GRANGE HALL ROAD, FURTHER DESCRIBED AS BOOK 2, PAGE
13, PARCEL 70 FROM I-1 LIGHT INDUSTRIAL TO RP-1
RESEARCH PARK DISTRICT (Z-16-1).

Whereas, Lori Strobl (Agent for the Owner), 452 West Market Street, Xenia,
OH 45385, has requested the rezoning; and

Whereas, the City of Beavercreek Planning Commission has recommended
approval of the rezoning amendment; and

WHEREAS, the City Council has voted to adopt the recommendation of the
Planning Commission, this being a decision that requires approval by four members
of Council.

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY
ORDAINS:

SECTION I

That the Zoning Map referenced in §158.018 of the Zoning Code is hereby
further amended to change approximately 3.223 acres of land, located at 1400
Grange Hall Road, known as B42000200130007000 and as further described in the
attached "Exhibit A" be rezoned to RP-1 Research Park District.

SECTION II

This Ordinance shall take effect from and after the earliest period allowed by
law.

SECTION III

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

PASSED this _____ day of _____, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to rezone approximately 3.223 acres of land located at 1400 Grange Hall Road from I-1 Light Industrial to RP-1 Research Park District.

This is not an emergency ordinance and will become effective 30 days after passage.

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

/MAC 2/1/16

Meeting Date: February 8, 2016	Reference Topic: Park Maintenance Agreement
Agenda Reference No.: VI B	Resolution 16-04

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

Staff has explored the concept of consolidating park services with Beavercreek Township and Beavercreek Township Park District. The City Parks department would maintain the grounds of all Township and Township Park District parks: Leist Park, Victory Park, Community Park, Phillips Park, Koogler Reserve and Rotary Park. Beavercreek Township would make 2 annual payments for these services.

Effective date of the agreement will begin on March 1, 2016 and renew every fifth year on January 1. Any party may withdraw from the agreement with written notice 12 months prior to the proposed termination date.

STAFF RECOMMENDATION:

Staff recommends that City Council approve the attached resolution authorizing the City Manager to enter into the attached agreement.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 16-04**

SPONSORED BY COUNCIL MEMBER _____ ON THE 8TH DAY OF
FEBRUARY, 2016.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO A PARK MAINTENANCE AGREEMENT WITH
BEAVERCREEK TOWNSHIP AND BEAVERCREEK
TOWNSHIP PARK DISTRICT**

WHEREAS, the City of Beavercreek, Beavercreek Township and Beavercreek Township Park District desire to enter into an agreement which will allow the City Parks Department to maintain all park property owned by the Township and Township Park District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

The Council further authorizes the City Manager to sign on behalf of the City of Beavercreek the Agreement for Park Maintenance in substantially the same form as attached.

SECTION II.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III.

This resolution shall become effective immediately upon passage.

Passed this 8th day of February, 2016.

Bob Stone, Mayor

Attest:

Dianne Lampton, Clerk of Council

Park Management Agreement

This Management Agreement is made this _____ day of _____ 2016 by and between the CITY OF BEAVERCREEK (hereinafter "City") as Lessee and BOARD OF TRUSTEES OF BEAVERCREEK TOWNSHIP and BEAVERCREEK TOWNSHIP PARK DISTRICT (hereafter "Township and Park District") as Lessors.

WITNESSETH

WHEREAS, the City is a corporate entity located entirely within the Township; and

WHEREAS, the Township and Park District own or control the properties listed in Exhibit "A" which have been designated for use as public parks (hereafter "Park" or "Parks"); and

WHEREAS, it is the intent of the City, Township and Park District to create more efficient and effective service delivery for Parks, Recreation and Senior Services to the residents of Beavercreek in the incorporated and the unincorporated areas; and

WHEREAS, it is the intent that there be cooperation by and between the Township and the City in the sharing of the Park's operating costs for the benefit of all their residents;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties agree as follows:

1. CITY SERVICES

The City shall provide, perform, or cause to be performed, the following services for Township and Park District Parks: routine maintenance and repair of Park equipment, facilities and grounds; the scheduling, programming and providing of Park activities; the collection of revenue derived from Park activities; separate accounting for all Park expenses and revenues; the preparation of an annual consolidated Park operating budget for all Parks; and assistance and advice to the Township and Park District in the planning and preparation of Park improvements.

2. OPERATING BUDGET

During the City's budget preparation period, the City shall prepare an annual operating budget for the Parks for the upcoming calendar year. The annual Parks operating budget shall include all proposed expenditures planned by the City in connection with the provisions of services to be provided by the City as required by this Agreement during the upcoming calendar year. The City shall provide a copy of the proposed Township and Park District Parks operating budget to the Township and Park District for their review and comment prior to final adoption by the City.

The parties also acknowledge that removal of Ash trees will be required during the term of this Agreement. The City if requested will provide a separate budgeted amount for the removal of the Ash trees. The cost of removal will be the sole expense of the Park owner. Alternatively, at the City's option the City will provide guidance and coordinate with the Park owner the removal of hazardous Ash trees

It is understood by the parties that the City will not be responsible for any capital expenditures.

3. CAPITAL IMPROVEMENTS AND FIXED ASSETS

The Township, Park District and City shall work together cooperatively to plan for the installation of future Park improvements and assets. However, it is understood by the parties that the property owner shall be responsible for determining all future capital improvements and fixed assets to be installed at the Parks and for the payment of the cost of such improvements and assets. All such improvements shall be the sole property of the property owner. Any such improvements which will have a significant impact on operating and maintenance expenses shall first be agreed to by both the Park owner and the City.

Capital expenditures shall be defined as any single expense over five thousand dollars (\$5,000) and shall be the responsibility of the owner of that Park.

4. OWNERSHIP OF CAPITAL IMPROVEMENTS AND FIXED ASSETS

Any Park capital improvements or assets purchased during the terms of this Agreement shall be the sole property of the Park owner. The manner of disposing of such capital improvements or assets shall be determined solely by the owner of the Park. Proceeds, if any, or losses, if any, resulting from the disposition of such capital improvements or assets shall belong to the owner of the Park.

5. PARK USER FEES AND REVENUES

The City may charge and collect fees for the use of Parks facilities set forth on Exhibit A. All fees collected for the use of Park facilities and programs at the Parks subject to this Agreement, stay with the City.

6. PAYMENTS

For the services to be provided under this Agreement, the Township agrees to pay the City in two (2) semi-annual installments with the first being due June 15, 2016 and the second being due December 31, 2016.

The annual amount of the contract will be calculated by applying the previous year's annual percentage change in the Consumer Price Index (CPI) to the 2016 base amount of One Hundred Thirty Six Thousand, and Six Hundred Eighty Five Dollars (\$136,685). See Exhibit B for example of calculation.

The annual percentage change will be no less than one and one-half percent (1.5%) increase and no more than a four and one-half percent (4.5%) increase, regardless of the year's annual percentage change in the CPI.

The specific CPI to be used in calculating the rate changes will be the Urban Wage Earners and Clerical Workers, for Cincinnati-Hamilton OH-KY-IN, all items, not seasonally adjusted (CPI CWUSA213SA0)

7. INSURANCE

The owner of the Park shall be responsible for providing insurance coverage of any and all equipment and property on or stored at those Parks owned by that entity. Additionally, the Township, Park District and City shall each have general liability insurance that covers each of their respective Parks, all facilities and those activities performed at the Park, in an amount not less than One Million Dollars (\$1,000,000). Each party to this Agreement shall name the other as an additional insured on their insurance policies. The City will be responsible for the equipment used to maintain the facilities.

8. TERM OF AGREEMENT

Effective date of this Agreement shall be March 1, 2016. This agreement will automatically renew every fifth year on January 1.

Any party to the Agreement may upon twelve (12) months written notice withdraw from the Agreement. Upon withdraw an accounting of funds collected and expenditures made or owed will be provided to the withdrawing party. The withdraw by only the Township or Park District shall not automatically result in the termination of this Agreement if the City and remaining party jointly agree to continue under the terms of this Agreement. The withdrawing party will continue to be obligated for any expense incurred by reason of the withdrawing parties request to terminate the contract.

9. EXPLORATORY COMMITTEE

The Township and City shall work together to establish an exploratory committee to continue to explore long term funding sources for Park and Recreation services throughout the Beaver creek community

10. GENERAL PROVISIONS

A. This Agreement shall not be assigned or conveyed to any other party without the express written consent of both parties to this Agreement. This Agreement shall be binding and inure to the benefit of the parties, their successors and assigns. No amendment or modification to this Agreement shall be effective unless it is in writing and signed by the parties or their respective duly authorized representative. This Agreement may be executed in one (1) or more copies, each of which shall be deemed original.

B. This Agreement is a full integration of any and all discussions and agreements between the parties pertaining to the Township Parks. This Agreement may only be amended in writing after approval by the Board of Trustees of Beaver creek Township or Township Administrator and the Beaver creek City Council or City Administrator.

IN WITNESS THEREOF, this Agreement is binding upon execution by all intended parties.

CITY OF BEAVERCREEK, OHIO

Michael A. Cornell, City Manager

Date

BEAVERCREEK TOWNSHIP

Alex Zaharieff, Township Administrator

Date

BEAVERCREEK PARK DISTRICT

Robert Darden, Chairman

Date

Exhibit A

Beavercreek Township Properties

A. Leist Park, Orchard Lane

Owned and Operated by Township

B. Phillips Park, Dayton-Xenia Rd

Owned and Operated by Township

C. Koogler Reserve, Beaver Valley Rd

Operated by Township

D. Rotary Park, Dayton-Xenia Rd

Owned by Township, Operated by City

E. Victory Park, Dayton-Xenia Rd (including Owens Place)

Owned by Township Park District, Operated by Township

F. Community Park, Factory Rd

Owned by Township Park District, Operated by Township

Exhibit B

Example of CPI-CW Annual Adjustments – Billing 2017

Annual Index#: (2016) -Index Increased 2.0% from previous year:	222.8
Base Index: (2015)	218.4
Index Increase:	4.4
CPI Percentage Increase*:	2.0%
Contract Base: (2016)	\$136,685
Calculated Contract Amount: (2017)	\$139,419

Example of CPI-CW Annual Adjustments – Billing 2018

Annual Index#: (2017) -Index Increased 2.5% from previous year:	228.4
CPI Index: (2016)	222.8
Index Increase	5.6
CPI Percentage Increase*:	2.5%
Contract Base: (2017)	\$139,419
Calculated Contract Amount (2018)	\$142,904

Tickmarks:

#=Previous year's annual index normally released in February of each year.

*=Subject to floor and ceiling provisions noted in Section 6 of the Agreement.

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

11/16/16

Meeting Date <u>February 8, 2016</u> Agenda Reference No. VI-C	Reference Topic: <u>Resolution 16-05</u> Resolution Authorizing the City Manager to Enter into a Tax-Exempt Municipal Lease with Fifth Third to Finance the Purchase of Various Capital Equipment.
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ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinances	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input checked="" type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Declaring an Emergency

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input checked="" type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> Other: Golf

BACKGROUND AND STAFF SUMMARY:

The City had appropriated the first years principal and interest payments in the Traffic Safety division of Public Services and the Golf Course Maintenance Division to purchase two pieces of capital equipment financed through a tax exempt capital lease. The pieces of equipment were identified and placed out to bid or found at state bid pricing. The estimated cost of these two pieces of capital equipment is \$310,000 and will be financed over a five year period. The quote from Fifth Third Bank was the lowest at 1.75% (the last lease rate we received was 1.6% back in 2013).

This legislation authorizes the City Manager to enter into the Lease/Purchase agreement with Fifth Third bank as outlined in Tax-Exempt Municipal Lease proposal (Exhibit B).

STAFF RECOMMENDATION: Staff recommends adoption of Resolution 16-05 authorizing the City Manager to enter into the five year Municipal Lease agreement for the list of equipment illustrated in Exhibit A.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 16-05**

SPONSORED BY COUNCILMEMBER _____ ON THE 8th DAY OF
FEBRUARY, 2016.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
A TAX-EXEMPT MUNICIPAL LEASE WITH FIFTH THIRD BANK TO
FINANCE THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT.**

WHEREAS, the City appropriated funds in the 2016 Operating Budget to purchase, through tax-exempt municipal lease financing, two pieces of capital equipment; and

WHEREAS, the City is purchasing these pieces of equipment using the state bid pricing and ancillary equipment not on the state bid pricing will be competitively bid following the City's purchasing policy and procedures; and

WHEREAS, the City received competitive quotes to finance these pieces of equipment and have accepted the proposal from Fifth Third Bank for financing the estimated purchase price of \$310,000 over a five (5) year period.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

The City Manager is hereby authorized on behalf of the City of Beavercreek to enter into purchase agreements for various pieces of equipment as outlined on "Exhibit A". Said agreement is to be in a form acceptable to the City Attorney.

SECTION II.

The City Manager is hereby authorized on behalf of the City of Beavercreek to enter into a tax-exempt municipal lease financing with Fifth Third Bank as outlined on "Exhibit B". Said agreement is to be in a form acceptable to the City Attorney.

SECTION III.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 8th day of February, 2016.

Bob Stone, Mayor

Attest:

Dianne Lampton, City Clerk

**City of Beavercreek
Summary of Capital Equipment to be Leased/Purchased**

Listed below are the pieces of equipment the City is purchasing using a five (5) year capital lease purchase.

Public Service Division:

Airless Striping Truck & Accessories

Replacing long striper (2001)

Estimated Price: \$245,000

Chassis/Engine and accessories have been competitively bid utilizing the City's bid standards and policies. Other components needed: rotary screw compressor, maintenance package, 30 gallon tank with hose and reel and pump, work platform, traffic advisor and light bar for safety, and hand paint and bead guns.

Delivery requirements: ASAP

Order date to delivery and assembly of all components March to August-Sept.

Golf Course:

Spray Rig

Replacing a 2004 spray rig. The old one will be repurposed and transferred to the Parks department to allow them to utilize the equipment for the ball fields.

Estimated Price: \$65,000.

Spray rig is on State bid listing. Accessories include pro control option to avoid waste and to ensure precise distribution rates, rinse, chemical pre-mix, and pro foam marking kits.

Delivery requirements: ASAP

Order date to delivery: 3 to 4 weeks.

Total Estimated Capital Lease Amount: \$310,000



TAX-EXEMPT MUNICIPAL LEASE PROPOSAL PREPARED FOR

CITY OF BEAVERCREEK

IS PRESENTED ON THIS DATE

January 25, 2016

Fifth Third Bank

Airless Striping Truck and Spray Rig Equipment

Proposal Prepared By:

Mark J. Zink

Vice President - Equipment Finance

38 Fountain Square Plaza

Maldrop 10907L

Cincinnati, Ohio 45263

Phone: (513) 534-8783

Fax: (513) 534-6706

E-mail: Mark.Zink@53.com



January 25, 2016

Bill Kucera, Financial Administrative Services Director
City of Beavercreek
1368 Research Park Drive
Beavercreek, Ohio 45432-2818

Dear Bill:

On behalf of Scott Mumpower and everyone at Fifth Third Bank, I am pleased to present the following proposal for the financing of Equipment in response to your request for tax-exempt municipal lease financing. This proposal is subject to the terms and conditions described in this letter ("Lease Facility" or "Lease"):

Tax-Exempt Municipal Lease

LESSOR:	Fifth Third Bank, and or its assigns
LESSEE:	City of Beavercreek
EQUIPMENT:	2016 Airless Striping Truck and Spray Rig Equipment
EQUIPMENT COST:	\$310,000.00
BASE TERM COMMENCEMENT DATE:	Assumes on or near February 15, 2016 (with a first payment due date of March 15, 2016)
BASE TERM:	Sixty (60) Months
LEASE PAYMENTS:	Lessee shall be required to make monthly payments, due in arrears , per the attached sample amortization schedule Exhibit A
INTEREST RATE:	1.75%
ADJUSTMENTS TO RENT:	The interest rate and monthly payments illustrated above may be adjusted for every basis point increase or decrease corresponding to the appropriate Bloomberg SWAP Rate report, which is based on the US dollar, a 30/360 day year, with a Semi-Annual Settlement (USD SWAP SEMI 30/360) and a term approximating the weighted average life of the transaction. At the time of this proposal, the appropriate weighted average life was 2.58 years, and the applicable rate for this SWAP was 1.04% as of January 25, 2016, which is based on a straight-line interpolation, proportional to the closest whole year SWAP rates. The final interest rate and monthly payments shall be fixed at funding using

the SWAP rate for the most recent previous day close and shall remain constant throughout the term. The payments and all aspects of this proposal may be adjusted prior to funding at the sole discretion of Lessor due to, but not limited to the following: changes in your credit worthiness, economic events, and changes in the market pricing of risk or the general availability of liquidity/capital.

END OF TERM: The Lease is considered to be fully amortizing, in that, the Lessee will retain ownership of the equipment upon full performance of the terms and conditions of the lease.

LEGAL TITLE: Legal title to the Equipment during the Lease Term shall vest in Lessee, with Lessor perfecting a first security interest through a lien filing or such other filing instrument required by law.

FEES: There are no other costs, expenses, fees or other charges associated with the lease purchase financing other than interest expense and Lessee's Legal Opinion (cost to be borne by Lessee).

NET LEASE: The Lease will be net, with all Lease payment obligations absolute, unconditional, and all payments from Lessee will not be subject to any right of set-off. The Lessee will be responsible for (i) any and all costs, fees, charges and expenses in connection with the Equipment, including those related to acquisition, use, possession, operation, insuring, maintenance, repair and return of the Equipment, and (ii) all taxes, duties, charges and other levies of any type.

NON-APPROPRIATION: In the event that funds are not appropriated for each fiscal year, the Lease is subject to termination by the Lessee.

PREPAYMENT: Lessee shall be allowed to prepay the lease at any time during the Base Term of the Lease with a termination charge of 200 basis points, or 102% of the outstanding principal balance plus accrued interest as of the date of prepayment.

LEGAL OPINION: An opinion of Lessee's Counsel (at Lessee's expense) will be required indicating that the agreement is legal, valid and binding according to applicable state and local laws.

BANK QUALIFICATION: The Lessee will be required to certify that they do not reasonably expect to issue more than \$10,000,000 in tax-exempt debt during the current calendar year as defined in Section 265 (b)(3) of the Internal Revenue Code.

DOCUMENTATION: Similar to all of our prior lease agreements with the City, it is anticipated that the required Lease documentation will include but not be limited to an Individual Payment Schedule, Delivery and Acceptance Certificate, Board Resolutions, Incumbency Certificates, Legal

Opinions, and other documents as required by Lessor. The Lease documentation will contain terms and conditions as are customary for transactions of this type and under the structure reviewed in this letter.

INSURANCE:

The Lessee will provide a certificate of insurance as evidence of all required physical damage, business interruption, and liability insurance coverage in an amount and by an insurance carrier satisfactory to the Lessor. The Lessor must be listed on the policy as sole loss payee and additional insured on the certificate of insurance, which is to be provided to the Lessor prior to closing, or in the case of an escrow agreement, prior to the delivery and acceptance of the Equipment.

ESCROW FUNDING:

This proposal assumes that the Equipment Cost will be deposited into an Escrow Account with Fifth Third Bank as escrow agent on the date of closing of the Lease. Any interest earnings from the escrow account will be for the benefit of the Lessee. Payment Requests for vendor payments out of the Escrow Account will be submitted by the Lessee as necessary based upon the delivery schedule of the Equipment. There are no Lessee fees associated with the opening and maintenance of the escrow account.

AUTO BILLPAYER OPTION:

Lessee has the option of making regular lease payments through our exclusive ACH payment application product called "Auto BillPayer". This product, which is free of charge, enables the Lessee to have their lease payments automatically transferred on the due date from their checking account at any financial institution. A separate ACH transaction is generated for each of the Lessee's lease accounts. With Auto BillPayer, you maintain control and save time and money eliminating check writing, wire fees, postage and late charges.

FINANCING APPROVAL:

This proposal is subject to credit review and approval of Fifth Third Bank's Senior Officers.

ACCEPTANCE OF PROPOSAL:

Lessee is asked to acknowledge its acceptance of this Lease proposal and its application to Lessor by signing and returning the enclosed copy of this letter to Lessor by February 9, 2016.

CONFIDENTIALITY:

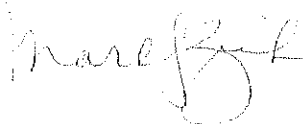
This proposal is delivered to the Lessee with the understanding that neither it nor its substance will be disclosed to any third party except those persons who have a confidential relationship with the Lessee in relation to this transaction or where disclosure is required by law.

This letter is not a commitment to undertake this financing. The appropriate officers of Lessor can issue a commitment only after full credit and economic review and subsequent approval. Lessor reserves the right to decline the issuance of a commitment for any reason whatsoever. If Lessor issues a commitment, it may modify the terms of this proposal, as Lessor may deem advisable. A commitment shall not be binding on Lessor unless it is in writing and signed by Lessor. Lessor will have the sole right to assign this proposal or any lease between Lessee and Lessor. The terms and conditions outlined herein are not all inclusive. Any

approval of the Lease Facility described herein is subject to no material adverse change in the Lessee's financial or business condition. If this proposal letter is satisfactory to Lessee, please sign and return this proposal.

Your acceptance of this proposal represents your intent to exclusively move forward with Lessor in order to expedite this transaction. Please feel free to contact me at 513-534-8783 or Mark.Zink@53.com if you have any questions, or would like to discuss this proposal in greater detail. Upon notification of acceptance, we will promptly begin the approval process so that we may be in a position to finalize this transaction with you. Thank you for allowing us the opportunity to submit this proposal to you.

Sincerely,



Mark J. Zink
Vice President

Proposal Accepted By:



CITY OF BEAVERCREEK

Signature: _____

Title: _____

Date: _____

Auto BillPayer Yes () No () .

cc: Scott Mumpower, Vice President, Fifth Third Bank

Exhibit A
City of Beavercreek - Sample Amortization
\$310,000.00 Total

Loan Amortization

date	funding	payment	interest @ 1.7500	principal	balance
Feb-15-16	310,000.00				310,000.00
Mar-15-16		5,399.77	452.08	4,947.69	305,052.31
Apr-15-16		5,399.77	444.87	4,954.90	300,097.41
May-15-16		5,399.77	437.64	4,962.13	295,135.29
Jun-15-16		5,399.77	430.41	4,969.36	290,165.93
Jul-15-16		5,399.77	423.16	4,976.61	285,189.32
Aug-15-16		5,399.77	415.90	4,983.87	280,205.45
Sep-15-16		5,399.77	408.63	4,991.14	275,214.31
Oct-15-16		5,399.77	401.35	4,998.41	270,215.90
Nov-15-16		5,399.77	394.06	5,005.70	265,210.20
Dec-15-16		5,399.77	386.76	5,013.00	260,197.19
Jan-15-17		5,399.77	379.45	5,020.31	255,176.88
Feb-15-17		5,399.77	372.13	5,027.64	250,149.24
Mar-15-17		5,399.77	364.80	5,034.97	245,114.27
Apr-15-17		5,399.77	357.46	5,042.31	240,071.96
May-15-17		5,399.77	350.10	5,049.66	235,022.30
Jun-15-17		5,399.77	342.74	5,057.03	229,965.27
Jul-15-17		5,399.77	335.37	5,064.40	224,900.87
Aug-15-17		5,399.77	327.98	5,071.79	219,829.08
Sep-15-17		5,399.77	320.58	5,079.18	214,749.90
Oct-15-17		5,399.77	313.18	5,086.59	209,663.31
Nov-15-17		5,399.77	305.76	5,094.01	204,569.30
Dec-15-17		5,399.77	298.33	5,101.44	199,467.86
Jan-15-18		5,399.77	290.89	5,108.88	194,358.98
Feb-15-18		5,399.77	283.44	5,116.33	189,242.65
Mar-15-18		5,399.77	275.98	5,123.79	184,118.86
Apr-15-18		5,399.77	268.51	5,131.26	178,987.60
May-15-18		5,399.77	261.02	5,138.74	173,848.86
Jun-15-18		5,399.77	253.53	5,146.24	168,702.62
Jul-15-18		5,399.77	246.02	5,153.74	163,548.88
Aug-15-18		5,399.77	238.51	5,161.26	158,387.62
Sep-15-18		5,399.77	230.98	5,168.79	153,218.83
Oct-15-18		5,399.77	223.44	5,176.32	148,042.50
Nov-15-18		5,399.77	215.90	5,183.87	142,858.63
Dec-15-18		5,399.77	208.34	5,191.43	137,667.20
Jan-15-19		5,399.77	200.76	5,199.00	132,468.20
Feb-15-19		5,399.77	193.18	5,206.59	127,261.61
Mar-15-19		5,399.77	185.59	5,214.18	122,047.43
Apr-15-19		5,399.77	177.99	5,221.78	116,825.65
May-15-19		5,399.77	170.37	5,229.40	111,596.25
Jun-15-19		5,399.77	162.74	5,237.02	106,359.23
Jul-15-19		5,399.77	155.11	5,244.66	101,114.57
Aug-15-19		5,399.77	147.46	5,252.31	95,862.26
Sep-15-19		5,399.77	139.80	5,259.97	90,602.29
Oct-15-19		5,399.77	132.13	5,267.64	85,334.65
Nov-15-19		5,399.77	124.45	5,275.32	80,059.32
Dec-15-19		5,399.77	116.75	5,283.02	74,776.31
Jan-15-20		5,399.77	109.05	5,290.72	69,485.59
Feb-15-20		5,399.77	101.33	5,298.44	64,187.15
Mar-15-20		5,399.77	93.61	5,306.16	58,880.99
Apr-15-20		5,399.77	85.87	5,313.90	53,567.09
May-15-20		5,399.77	78.12	5,321.65	48,245.44
Jun-15-20		5,399.77	70.36	5,329.41	42,916.03
Jul-15-20		5,399.77	62.59	5,337.18	37,578.85
Aug-15-20		5,399.77	54.80	5,344.97	32,233.88
Sep-15-20		5,399.77	47.01	5,352.76	26,881.12
Oct-15-20		5,399.77	39.20	5,360.57	21,520.56
Nov-15-20		5,399.77	31.38	5,368.38	16,152.17
Dec-15-20		5,399.77	23.56	5,376.21	10,775.96
Jan-15-21		5,399.77	15.71	5,384.05	5,391.91
Feb-15-21		5,399.77	7.86	5,391.91	0.00
	310,000.00	323,986.10	13,986.10	310,000.00	

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

MAC 2416

Meeting Date: February 8, 2016	Reference Topic: Request for New Liquor Permit Chipotle Mexican Grill of Colorado LLC
Agenda Reference No: VII. A.	
	Motion to Accept without Comment

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input checked="" type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

Ohio Division of Liquor Control sent police notification reference a new D3 liquor permit for Chipotle Mexican Grill of Colorado LLC, DBA Chipotle Mexican Grill, 2544 Zink Rd., Beavercreek, Ohio 45324. The records checks required by the Ohio Department of Commerce - Division of Liquor Control were conducted on the business officers/shareholders for this application request.

STAFF RECOMMENDATION:

Staff is recommending this application request move forward with no comment.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

14374151050		NEW	CHIPOTLE MEXICAN GRILL OF COLORADO LLC DBA CHIPOTLE MEXICAN GRILL 2720 2544 ZINK RD BEAVERCREEK OH 45324
PERMIT NUMBER		TYPE	
ISSUE DATE			
01 07 2016			
FILING DATE			
D3			
PERMIT CLASSES			
29	005	A	B08284
TAX DISTRICT		RECEIPT NO.	

FROM 01/20/2016

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 01/20/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/22/2016

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL

WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 1437415-1050**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BEAVERCREEK CITY COUNCIL
1368 RESEARCH PARK DR
BEAVERCREEK OHIO 45432

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECC

1437415 PERMIT NBR
CHIPOTLE MEXICAN GRILL
OF COLORADO LLC
ATTN LICENSING
1401 WYNKOOP ST STE 500
DENVER CO 80202

KEVIN REDDY	09/08/2005	INACTIVE	
MARC SIMON	09/08/2005	INACTIVE	
JOHN HARTUNG	12/01/2005	INACTIVE	
ROBERT WILNER	12/01/2005	INACTIVE	
GERALD SCHAFER	08/13/2003	INACTIVE	
M STEVEN ELLS	04/19/2001	ACTIVE	MAN-MBR
MONTGOMERY F MORAN	09/08/2005	ACTIVE	MAN-MBR
CHIPOTLE MEXICAN GRILL IN	08/02/2000	ACTIVE	MAN-MBR5%M

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

D8 \$500 ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall



**AGENDA
CITY COUNCIL**

1368 Research Park Dr
Beavercreek, Ohio

**Work Session – Tuesday, February 16, 2016, 5:00 p.m.
Council Chambers**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. U.S. 35 Super Street
 - B. CALEA Process
 - C. Street Levy Update
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT



**AGENDA
CITY COUNCIL
Work Session –February 22, 2016, 5:00 p.m.
Council Chambers**

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Lofino Plaza Renovation Financing
 - B. Park Maintenance Agreement
- V. ADJOURNMENT

DRAFT



CITY COUNCIL
Regular Meeting – February 22, 2016 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Council Member Litteral
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. February 8, 2016 Regular Meeting
 - B. February 16, 2016 Work Session
- VI. PUBLIC HEARING – MX-PUD 93-4 Amend 1-16, Ashton Brook Phase 5
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Ordinance 16-02
- VII. PUBLIC HEARING – PUD 15-3 SSP #1 AAA – Bob Sumerel Tire
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Ordinance 16-03
- VIII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-01 Z-16-1 TCN Behavioral Rezoning, I-1 to RP-1 (Third Reading)
- IX. DECISION ITEMS
 - A. Board Appointments
- X. CITY MANAGER'S REPORT
- XI. MAYOR'S REPORT
- XII. COUNCIL TIME
- XIII. CITIZEN COMMENTS
- XIV. EXECUTIVE SESSION
- XV. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT

February 4, 2016

CITY COUNCIL

February 8, 2016

- Z-16-1, TCN Behavioral, public hearing, second reading

February 22, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, public hearing, first reading
- PUD 15-3, SSP #1, AAA-Bob Sumerel Tire, public hearing
- Z-16-1, TCN Behavioral, third reading

March 14, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, public hearing, second reading

March 28, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, third reading

Tabled / Delayed / Pending

-

PLANNING COMMISSION

March 2, 2016

-
-
- Z-16-2, 4230 Dayton-Xenia, public hearing (tabled 2/3/16)

Currently Tabled / Delayed

-

Commercial Permits Submitted and Under Review

- Advance Auto
- Sam's Fuel Station

BOARD OF ZONING APPEALS

March 9, 2016

-
-

Currently Tabled or Delayed

-
-